

## **CITY UTILITIES COMMITTEE**

### **MINUTES**

**MARCH 29, 2011**

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, March 29, 2011 at 10:08 a.m., in Committee Room #2.** The following members were present:

**The Honorable Natalyn M. Archibong, Chair**  
**The Honorable C. T. Martin**  
**The Honorable Yolanda Adrean**  
**The Honorable Howard Shook**  
**The Honorable Carla Smith**  
**The Honorable Aaron Watson**

The following member was absent:

**The Honorable H. Lamar Willis, Vice-Chair**

Others present at the meeting were: Stephanie Grant, Michael Patrick McShane and Renee Shepherd, Law Department; Dexter White, Interim Commissioner, Eric Glover, Corey Busch and Susan Rutherford, Department of Watershed Management; Commissioner Richard Mendoza, Director Douglas G. Raikes; Department of Public Works; Keith Brooks, Office of Procurement; Bruce Bell, Office of Contract Compliance; Director John Lavelle, OEAM; members of the public, press and Council Staff.

Chairperson Archibong called the meeting to order at 10:08 a.m. after declaring a quorum present. She then proceeded with the following order of business.

**A. ADOPTION OF AGENDA - ADOPTED**

**B. APPROVAL OF MINUTES - APPROVED**

**CONSENT**

**C. ORDINANCES FOR FIRST READING**

- 11-O-0494 ( 1)      An Ordinance by City Utilities Committee to amend Chapter 154 of the Code of Ordinances ("Utilities"), Article IV Sewer Construction and Assessments to add a new Section 154-155, entitled "Private Decentralized Wastewater Systems Prohibited" for the purpose of prohibiting certain private wastewater systems within the City of Atlanta in accordance with the Metropolitan North Georgia Water Planning District Requirements; and for other purposes.

**ORDINANCES FOR FIRST READING (CONT'D)**

- 11-O-0528 ( 2)      An Ordinance by City Utilities Committee to authorize the acquisition of thirteen (13) properties, pursuant to the City's participation in the Federal Emergency Management Agency (FEMA) Hazard Mitigation Assistance Program ("FEMA Grant"); authorizing the Mayor to enter into an agreement with property owners and other appropriate documents for the acquisition of the properties included in the FEMA Grant Program; to authorize receipt of funds from FEMA to offset any acquisition costs in accordance with the FEMA Grant; to authorize the Mayor to enter into and execute a Sub-grantee Agreement with the Georgia Emergency Management Agency ("GEMA"); to waive portions of Article X of the Procurement and Real Estate Code; to authorize the City Attorney to use the assistance of outside counsel to effectuate the acquisition; to authorize the Chief Procurement Officer to obtain title work, surveys, environmental tests, appraisals and other appropriate Due Diligence Items to effectuate the acquisition of the properties; to charged and pay for acquisition costs from the listed Fund, Department Organization and Account Numbers; and for other purposes.

**TO BE REFERRED TO CITY UTILITIES COMMITTEE**

**REGULAR**

**D.      ORDINANCES FOR SECOND READING**

- 11-O-0336 ( 1)      A **Substitute** Ordinance by City Utilities Committee authorizing the Mayor or his designee to reclassify Jesse Hill, Jr. Drive, SE, between Armstrong Street, SE and Gilmer Street, SE from a Transportation and Entry Plaza for Grady Hospital to a local street; and for other purposes.  
**(Councilmember Shook made a motion to approve on substitute.)**

**FAVORABLE ON SUBSTITUTE**

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**ORDINANCES FOR SECOND READING (CONT'D)**

- 11-O-0337 ( 2)     A **Substitute** Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY 2011 (Water and Wastewater Renewal and Extension Fund) (5052) Budget in the amount of \$4,571,941.00 to transfer funds from the Water and Wastewater Renewal and Extension Fund Reserve for Appropriations and add to appropriations on behalf of the Department of Watershed Management for the DWM Hazard Mitigation Project; and for other purposes.  
**(Councilmember Shook made a motion to approve on substitute.)**

**FAVORABLE ON SUBSTITUTE**

- 11-O-0365 ( 3)     An Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY 2011 (Water and Wastewater Renewal and Extension Fund) (5051) Budget in the amount of \$478,000.00 to transfer funds from the Water and Wastewater Renewal and Extension Fund Reserve for Appropriations and add to appropriations on behalf of the Department of Watershed Management for the DWM Commissioner Office for Consulting Services; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

**E.     RESOLUTIONS**

- 11-R-0495 ( 1)     A Resolution by City Utilities Committee authorizing the Mayor or his designee to apply for and accept a grant from the Coca-Cola Company for the purpose of purchasing additional recycling equipment and to produce educational material, on behalf of the Department of Public Works; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

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**RESOLUTIONS (CONT'D)**

- 11-R-0496 ( 2)     A Resolution by City Utilities Committee authorizing the Mayor to enter into an appropriate contractual agreement for FC-5205, Yard Trimmings Diversion Program, with TAG Grinding Services, Inc., on behalf of the Department of Public Works, in an amount not to exceed \$1,875,000.00; all contracted work to be charged to and paid from the listed Fund, Department Organization and Account Numbers; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

- 11-R-0497 ( 3)     A Resolution by City Utilities Committee authorizing the Mayor to enter into Renewal Agreement No. 2 with Screening Systems International, Inc., for FC-4802, Traveling Screens Services and Repair, on behalf of the Department of Watershed Management, in an amount not to exceed \$217,000.00; all contracted work shall be charged to and paid from the listed Fund, Department Organization and Account Numbers; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

- 11-R-0498 ( 4)     An **Amended** Resolution by City Utilities Committee authorizing the Mayor to enter into Renewal Agreement No. 3 with Thomas Cleaning Services d/b/a Turf Care Services, for FC-6007000069, Annual Contract for Grounds Maintenance Services, on behalf of the Department of Watershed Management, in an amount not to exceed \$446,500.00; that all contracted work shall be charged to and paid from the listed Fund, Department Organization and Account Numbers; and for other purposes.  
**(Councilmember Shook made a motion to approve as amended.)**

**FAVORABLE AS AMENDED**

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**RESOLUTIONS (CONT'D)**

- 11-R-0536 ( 5)      A Resolution by Councilmembers Felicia A. Moore and Joyce M. Sheperd authorizing the Mayor or his designee to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et seq. of Article X of the City of Atlanta Code of Ordinances, utilizing the North Central Texas Council of Governments contract with United Services Utility Partners Private Label, Inc., doing business as Service Line Warranties of America to license the use of the City of Atlanta trademark in conjunction with advertisement to City of Atlanta residents of warranty plans for repair of water and sewer lines on residential property; and for other purposes.  
**(Councilmember Archibong made a motion to hold at the request of the one the Author.)**

**HELD**

**F.      PAPERS HELD IN COMMITTEE**

- 10-O-0939 ( 1)      A **Substitute** Ordinance by City Utilities Committee to amend Chapter 154, Article V. Division IV. Section 297 of the Atlanta City Code of Ordinances Entitled "City of Atlanta Grease Management Ordinance" (§154-297 et seq.) to adjust Wastewater Discharge Permit Fees; and for other purposes.  
**(Substituted and held 8/31/10) (Public Hearing held 9/21/10)**
- 10-O-1058 ( 2)      An **Amended** Ordinance by City Utilities Committee to amend Chapter 154 (Utilities), Article III (Water), Division I (Generally) of the City of Atlanta, Code of Ordinances. for the Department of Watershed Management Bureau of Drinking Water to adjust Meter Hydrant Service and Installation Fees; and for other purposes. **(Amended and held 7/13/10) (Public Hearing held 9/21/10)**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 10-O-1059 ( 3)     A **Substitute** Ordinance to amend Section 173 (Charges for Sewers laid by Developer for Use of Development), Division 2 (Assessments), Chapter 154 (Utilities), Article IV (Sewer Construction and Assessments), of the City of Atlanta Code of Ordinances to increase certain fees and impose new fees for Pipe and Structural Inspection, Erosion Control and Construction Inspection, Site Plan Review, and other services; to create a new Section 318 (Application Fees), Article VII (Riparian Buffer Requirements) Chapter 74 (Environment), to impose a new fee for plan review related to Riparian Buffer authorized Encroachment Applications; to create a new Section 521 (Fees), Article X (Post Development Stormwater Management) Chapter 74 (Environment) to impose a new fee for Plan Review related to Post Development Stormwater Management; to create a new Section 208 (Fees), Article VI (Flood Area Regulations) Chapter 74 (Environment) to impose a new fee for plan review related to Flood Plain Management; to create a new Section 406 (Fees), Article VIII (Wetland Protection Regulations) Chapter 74 (Environment) to impose a new fee for plan review related to Wetlands Protection; and for other purposes. **(Held 6/29/10 for a Public Hearing) (Substituted and held 9/14/10) (Public Hearing held 9/21/10)**
- 10-O-1688 ( 4)     An Ordinance by Councilmembers Ivory L. Young, Jr. and Michael J. Bond, authorizing the Mayor or his designee to abandon the portion of James P. Brawley Drive, SW located between Beckwith and Martin Luther King, Jr. Drive, SW on the east and located between Mitchell Street, SW and Beckwith Street, SW on the west and being more specifically described in Exhibit "A" and more completely described in Exhibit "B" lying and being in Land Lot 109 of the 14<sup>th</sup> District, Fulton County, Georgia; to abandon the portion of

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**PAPERS HELD IN COMMITTEE (CONT'D)**

Mitchell Street, SW between James P. Brawley Drive, SW and Paschal Boulevard, SW as marked on Exhibit "A" and more completely described in Exhibit "C"; to abandon Student Nonviolent Coordinating Committee ("SNCC") Way, SW between 399.76' south of Mitchell Street, SW and Beckwith Street, SW on the west side and between Mitchell Street, SW and Beckwith Street, SW on the west side as marked on Exhibit "A" and more completely described in Exhibit "D"; and for other purposes. **(To be advertised for a Public Hearing) (Held 9/14/10 for further discussions and a Public Hearing)**

- 10-O-1981 ( 5)     An Ordinance by Councilmembers Kwanza Hall, Michael J. Bond, H. Lamar Willis, Aaron Watson, Ivory L. Young, Jr. and Yolanda Adrean **as amended by City Utilities Committee** authorizing the Mayor or his designee to rename Harris Street, NW located in Downtown Atlanta between Piedmont Avenue, NW and Park Drive, NW in its entirety to John Portman Boulevard, NW; and for other purposes. **(Public Hearing Held and amended 11/30/10) (Referred back by Council 1/3/11)**
- 10-R-2126 ( 6)     A **Substitute** Resolution by City Utilities Committee authorizing the Mayor to enter into an agreement with Stack/NAPM, LLC, a Joint Venture, for FC-4757, South River Basin – East Point Sewer Replacement, on behalf of the Department of Watershed Management, in an amount not to exceed \$14,578,251.74; all contracted work will be charged to and paid from Fund, Department Organization and Account Numbers and PTAEAO Numbers listed; and for other purposes. **(Referred back by Council 1/3/11) (Held 1/14/11 at the request of the department)**
- 11-O-0080 ( 7)     An Ordinance by Councilmember Kwanza Hall authorizing the Mayor or his designee to impose a Moratorium on street name changes for six (6) months; and for other purposes. **(Held 1/14/11 at the request of the author)**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 11-R-0088 ( 8)     A Resolution by Councilmembers Michael J. Bond, H. Lamar Willis, Aaron Watson, Ivory L. Young, Jr. and Cleta Winslow authorizing the Mayor or his designee to enter into an agreement between the City of Atlanta and the Urban Villa Neighborhood Association allowing the installation of a neighborhood sign within a certain right-of-way; and for other purposes. **(Held 1/14/11 for further review)**
- 11-O-0108 ( 9)     An Ordinance by Councilmember Michael J. Bond to designate the intersection of Atlanta Student Boulevard, SW and Walnut Street, SW, Flipper Temple AME Square; and for other purposes. **(To be advertised for a Public Hearing) (Held 2/1/11 for further discussion)**
- 11-O-0132 (10)     An Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY 2011 (Water and Wastewater Renewal and Extension Fund) (5052) Budget in the amount of the \$100,000.00 to transfer funds from the Water and Wastewater Renewal and Extension Fund Reserve for Appropriations and add to appropriations for McDaniel Branch Wetlands Project; and for other purposes. **(Held 2/15/2011 for companion legislation.)**
- 11-R-0363 (11)     A **Substitute** Resolution by City Utilities Committee authorizing the Mayor to enter into Renewal Agreement No. 1 with Florida Testing Services, LLC d/b/a Xenco Laboratories, for FC-4990, Annual Trace Organics Laboratory Services, on behalf of the Department of Watershed Management, for **Time-Only**; and for other purposes.  
**(Councilmember Martin made a motion to approve on substitute.)**

**FAVORABLE ON SUBSTITUTE**

**PAPERS HELD IN COMMITTEE (CONT'D)**

- 11-R-0443 (12) A Resolution by Councilmembers Natalyn M. Archibong and Howard Shook authorizing payment of stipulated penalties imposed by the Environmental Protection Agency (EPA) and the Environmental Protection Division of the Department of Natural Resources of the State of Georgia (EPD) in the amount of \$\_\_\_\_\_ as stipulated penalties for the violation of CSO Fecal Coliform Operational Standards pursuant to the CSO Consent Decree, Civil Action File No. 1:95-CV-2550-TWT; to identify the source of funding; and for other purposes. **(Held 3/15/11)**

**G. APPRAISAL**

- (1) Appraisal of the abandoned Norcross Street, SW consisting of 41,160 sq. ft. (0.94 acre), the appraiser's estimate of the fair market value to be \$102,500.00 or \$109,043.00 per acre.  
**(Councilmember Shook made a motion accepted the appraisal)**

**ACCEPTED**

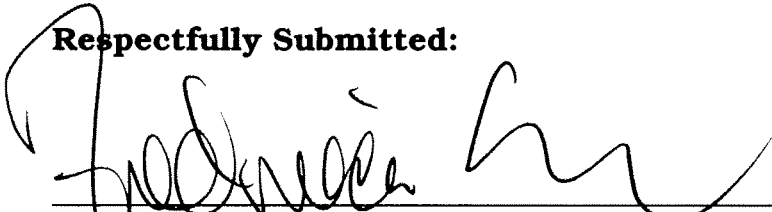
**H. REQUESTED ITEMS**

1. Councilmember Shook made a request to the Law Department to respond to how the City can pursue individuals and businesses that have had water debts with the City and are allowed to open new accounts. What can the City do about it?
2. Councilmember Martin requested that the committee host a work session regarding the People TV Board.

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**There being no further business to come before the Committee, the meeting was adjourned at 10:59 a.m.**

**Respectfully Submitted:**

  
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**Fredrieca Cooper, Legislative Assistant**  
\_\_\_\_\_  
**Alfred Berry, Jr., Research and Policy Analyst**  
\_\_\_\_\_  
**The Honorable Natalyn M. Archibong, Chair**  
**City Utilities Committee**